



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

03-R-0013

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Randal Robinson** in the sum of **\$1,865.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained **as a result of a vehicular damage due to an unsafe construction area on September 18, 2002 at 1642 Mary George Avenue, NW** as is more particularly set forth in the within claim; said sum taken from and charged to Account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk, CMC

**ADOPTED by the Council
APPROVED by the Mayor**

**JAN 21, 2003
JAN 28, 2003**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0867

Date: January 2, 2003

Claimant /Victim RANDAL ROBINSON

BY: (Atty)(Ins. Co.)

Address: 3645 Adkins Road, NW, Atlanta, Georgia 30331

Subrogation: Claim for Property damage \$ 1,865.00 Bodily Injury \$

Date of Notice: 12/03/02 Method: Written, proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 09/18/02 Place: 1642 Mary George Avenue, NW

Department Public Works Division: Sewer Operations

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant's vehicle was damage when he drove over a sewer construction cut that had been left in an unsafe and unsecured manner causing damages in the above amount.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures Diagrams Reports: Police X Dept Report Other

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental Ministerial X

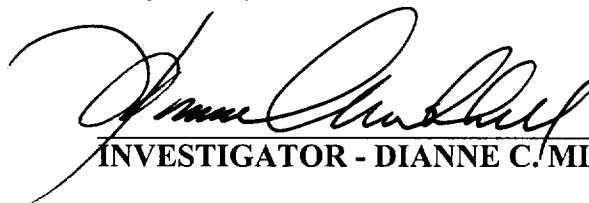
Improper Notice More than Six Months Other Damages reasonable X

City not involved Offer rejected Compromise settlement

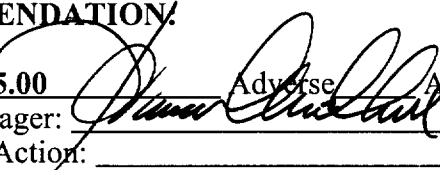
Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 1,865.00  Adverse Account charged: 1A01 2J01 X 2H01 2P01

Claims Manager: Concur/date 01-02-03

Committee Action: Council Action

RCS# 4404
1/21/03
3:19 PM

Atlanta City Council

Regular Session

CONSENT 1 Pgs. 1-8; Except 03-R-0035; 03-R-0050

ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 5
EXCUSED: 0
ABSENT 0

Y Smith	NV Archibong	Y Moore	NV Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
Y Young	Y Shook	Y Maddox	NV Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

1/21/03 FULL COUNCIL MEETING	
Items Adopted on the Consent Agenda	Items Adversed on the Consent Agenda
1. 02-O-2129	24. 03-R-0003
2. 03-O-0040	25. 03-R-0004
3. 02-O-2132	26. 03-R-0005
4. 02-O-2133	27. 03-R-0006
5. 02-O-2128	28. 03-R-0007
6. 03-O-0047	29. 03-R-0008
7. 03-R-0029	30. 03-R-0009
8. 03-R-0030	31. 03-R-0010
9. 03-R-0025	32. 03-R-0011
10. 03-R-0032	33. 03-R-0012
11. 03-R-0036	34. 03-R-0015
12. 03-R-0058	35. 03-R-0016
13. 03-R-0059	36. 03-R-0017
14. 02-R-1137	37. 03-R-0018
15. 02-R-1628	38. 03-R-0019
16. 02-R-1874	39. 03-R-0021
17. 03-R-0031	40. 03-R-0022
18. 03-R-0046	41. 03-R-0023
19. 02-R-2056	42. 03-R-0024
20. 03-R-0001	
21. 03-R-0002	
22. 03-R-0013	
23. 03-R-0014	

Consent I Vote: 11 Yeas; 0 Nays: (See RCS #4404/Reconsidered; See RCS # 4376 for Initial Vote & RCS #4403 for vote to Reconsider)
 Items Removed from the Consent Agenda: 03-R-0035 & 03-R-0050

Entered - 12/05/02 - sb
CL02L0867 - DIANNE C. MITCHELL

CLAIM OF: **RANDAL ROBINSON**
3645 Adkins Road, NW
Atlanta, Georgia 30331

03- R-0013

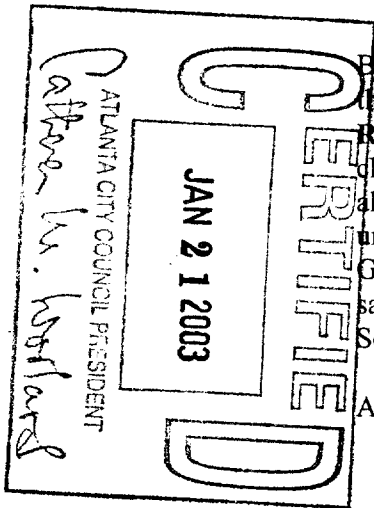
ADOPTED BY
JAN 21 2003
COUNCIL

For damages alleged to have been sustained as a result of vehicular damage due to an unsafe sewer construction area on September 18, 2002 at 1642 Mary George Avenue, NW.

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **RANDAL ROBINSON** the sum of **\$1,865.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of vehicular damage due to an unsafe sewer construction area on September 18, 2002 at 1642 Mary George Avenue, NW as is more particularly set forth in the within claim; said sum taken from and charged to account **2J01/529017/T31001**, Settlement of Suits and Claims, Department of Law.

APPROVED: **LINDA K. DISANTIS**
CITY ATTORNEY



BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

FAVORABLE REPORT

COMM: *Public Safety*

DATE: *1-14-03*

CHAIR: *[Signature]*

[Signature]

[Signature]

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[Signature]

[Signature]

CERTIFIED
JAN 21 2003

APPROVED
JAN 28 2003
MAYOR

[Signature]
DEPUTY MUNICIPAL CLERK

APPROVED

[Signature]
JAN 28 2003
CITY CLERK